

APPROVED

**INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES**

**February 1, 2010**

Meeting Room A, Town Campus

The regular meeting of the Madison Inland Wetlands Agency was held Monday, February 1, 2010 at 7:30 p.m. in Madison Town Hall, Meeting Room A.

**MEMBERS PRESENT**

C. Thomas Paul, Glenn Falk, Barbara Yeager, Rodney Bascom, John Mathieu, Lee Schumacher

**ALTERNATES PRESENT**

Barry Nann

**MEMBERS ABSENT**

David Newton

**ALTERNATES ABSENT**

n/a

**OTHERS PRESENT**

Robert Kuchta, Inland Wetlands Enforcement Officer; Michael J. Ott, Public Works Director/Town Engineer

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Chairman Barbara Yeager called the regular meeting of the Madison Inland Wetlands Agency to order at approximately 7:32 p.m. Agenda items were taken in the order prescribed in the minutes.

**PUBLIC HEARINGS:**

**09-31: 29 & 35 BRADLEY ROAD. Senior Center.** Map 38, Lots 9 and 10. Owner/ Applicant: Town of Madison. Regulated Activity Permit for demolition of existing buildings and construction of new Senior Center with removal of sediment within inland wetland review area and minor filling of an inland wetland.

The application is still open from the prior meeting.  
Mike Ott Public Works Director/Town Engineer presented.

Distributed drawings of latest revisions.

Discussed

B. Yeager – when will anticipated construction of senior center begin?

M. Ott – there are two phases. Phase one, the beginning of the senior center will be spring 2010, completed spring 2011 and phase two, knocking down the ambulance assoc and finishing the senior center will be in the fall 2011.

B. Yaeger – the wetlands area will depend on how that works?

M. Ott – that will get constructed in phase one.

B. Yaeger – so it will have plenty of time to be ready to be used once you start the parking lot?

M. Ott – yes, it is not affected by the ambulance building being in operation.

Follow-up from a question at the last meeting - today there is about ½ of an acre of impervious surface on the site. It is largely disconnected from the adjacent wetland. When the site is done there will be .9 acres of impervious surface, almost double. But the big difference is that it will be connected impervious surface area. All runoff will be directed into the newly constructed wetland.

B. Yaeger – the utility driveway, is that paved?

M. Ott – it is concrete. I am trying to work with the utility company to eliminate it altogether.

Further clarification and description of the application by Mike Ott.

B. Yaeger – you are disturbing some but creating more?

M. Ott – yes, we are creating significantly more.

T. Paul – do one of these sheets have to do with planting?

M. Ott – yes, sheet 7. There is a planting schedule on here.

B. Yaeger – the slopes will be planted with a seed mix?

M. Ott – yes, the landscape architect has done a plan.

T. Paul – how about the trees? Will any trees be planted?

M. Ott – not in the wetlands. The plants you see are little plugs.

B. Yaeger – they are in the wetlands.

M. Ott – yes, they are wetland plants that will fill in when they take hold and expand.

T. Paul – all the trees in the back are going to get cut?

B. Yaeger - 9 trees

T. Paul – I thought they were on both sides, but directly behind the building all the trees will go? I am wondering how many trees will be left in the back?

M. Ott - the clearing plans are shown. The clearing will be extensive.

B. Yaeger – it looks like you are removing 9 significant trees, according the site preparation plan and 3 spruce.

M. Ott – those are just significant trees that were located by the surveyor.

R. Bascom – the minimum size I see identified is 14 inches, is that the size you asked him to look for?

M. Ott – no, that is his standard.

R. Bascom – have you talked with Mary Bielen the adjacent property owner?

M. Ott – Mr. Horvath and a couple other members met with her.

Landscape plan reviewed, buffer planting.

B. Yaeger – are those native?

M. Ott – I would assume

R. Bascom – who is doing it, Tavella

B. Yaeger – those were mostly shrubs

M. Ott – he has them mixed in there.

B. Yaeger – he is probably doing that because they are shade tolerant. Some of those aren't native, I would prefer to see a native in there if he can come up with something comparable.

M. Ott - perhaps you can make that a condition or recommendation.

B. Yaeger – will that building shade some of the wetlands?  
M. Ott - to some degree it might  
B. Yaeger – you will have trouble putting trees in there for shade because of piping and the end of the building. There are no plans on here to plant trees?  
M. Ott – there are three dogwoods.  
B. Yaeger – I was thinking in the corner that would shade the built wetlands.  
M. Ott – that is something to consider. There aren't any trees there today but we can add that in.  
R. Bascom – do you have a plan in here that shows your sedimentation and erosion control?  
M. Ott – yes  
R. Bascom - on the two to one slope, is there an erosion blanket prior to the natural vegetation?  
M. Ott – that is actually a four.  
R. Bascom – is the tree removal at grade or are you going to grub?  
M. Ott – I think we will grub. We have two monitoring wells so we can get the hydrology right.  
R. Bascom – the excavated area is 6 feet  
B. Yaeger - this is outside of the existing wetland  
T. Paul – will the soil removed be used at another site?  
M. Ott – it will used there, it is good soil  
T. Paul – will the soil need to be stored, if there is a big rain storm?  
M. Ott – the plan provides narrative explaining how to protect stockpile erosion and sedimentation  
J. Mathieu – has a contract been awarded for the site work?  
M. Ott – no it has not.  
J. Mathieu – what type of inspection are you going to have?  
M. Ott – construction manager, KB, a representative will be on site. IWO Kuchta can do inspections as needed for erosion and sediment controls.  
B. Yaeger – I have a question about the property, St. Margaret's Church in the back that owns the wetlands and on the other side, when you make that wetlands that is going to bump the wetland boundaries into their property- the buffer, the regulated area into their property. You are creating a new wetland so it's going to move the boundaries.  
M. Ott – actually it's going to move the regulated area into the Bielen property. It is already on it now, it is just going to push it a little more.  
B. Yaeger – are they aware of that?  
M. Ott – Gus Horvath met with them.  
B. Yaeger – any public comment?  
M. Ott – I'd like to talk more about the water quality volume. We received a letter from Conservation Commission.  
IWO Kuchta passed out copies of the letter (marked Exhibit 1.)  
B. Yaeger – I have a question about what the commission is saying... You said there is an increase of .4 acres of impervious surface and the retention area can contain that?  
M. Ott – today there is .54 acres of impervious surface and it is considered disconnected impervious surface. When we build this site we have almost doubled the amount of impervious surface area and it becomes is connected. We are building the constructed wetland to provide water quality benefits only. It is not designed as a stormwater retention system.  
Documents handed out for review.  
Further clarification and description by Mike Ott.

M. Ott – here is where the issue is. I tried to explain this to the Conservation Commission and we didn't agree. Just like many sites, this site takes water from offsite. It takes runoff from Bradley Road and congregational church property. The estimated offsite area is 2 ¾ acres, our area is only 1.7 acres.

B. Yaeger – so you are saying that offsite stuff runs across the now grass sloped area?

M. Ott - not across, it comes via storm drainage system. Bradley Road and its drainage system are long established and the drainage system on the congregation church land is long established. We can't change that, we are taking 2 ¾ acres of contributing runoff to our site. I told the conservation commission that I don't think we can treat that. It is not warranted or reasonable, I wouldn't expect another developer or applicant to treat the runoff from offsite.

Further clarification and description by Mike Ott.

T. Paul - the person developing is the same person responsible for the runoff water?

M. Ott – you are correct

Further clarification and description by Mike Ott.

Kealoha Freidenburg on behalf of the Conservation Commission.

K. Freidenburg - we aren't suggesting that you treat the water. There are serious reservations about the extra runoff coming in. There is a lot of impervious surface. I don't think we say in the letter that there should be treatment.

M. Ott – you may not have meant it that way but it says that.

B. Yaeger – it says, two commission members stated that if there were not adequate room on the property to expand the treatment system. Are they saying expand it for the site or expand it to treat the offsite?

K. Freidenburg – there were two members that were very concerned about the extra runoff and that the site is being fully developed. The project is using about every inch of developable space. I don't think anyone was thinking there should be a requirement to treat it. There is concern because this is such a big project.

B. Yaeger – they say here, the property is being developed beyond site capacity. The site itself or the treatment of all water running through or past the site?

K. Freidenburg - I think they meant the extra water coming in from Bradley Road.

B. Yaeger – the site is treating its own water.

K. Freidenburg – the site is treating its own water. The constructed wetland is great for treating the onsite runoff but the concern is for the offsite. I don't think we had a recommendation per se, we are just cognizant of.

B. Yaeger – my only concern is that the letter says, the property is being developed beyond site capacity.

M. Ott- read the next sentence too, fully.

B. Yaeger – there is no room to modify the treatment system if it proves to be inadequate and there is no room to expand the system provide treatment for runoff from Bradley Road which is the town's responsibility even if it is not required by the current application.

K. Freidenburg – I think the meaning was that Bradley Road is the Town's responsibility.

B. Yaeger – when they say, another commissioner was concerned about the impacts of additional stormwater moving through the wetlands into the Tuxis pond system - are they talking about the increase from the impervious surface on site?

K. Freidenburg – I think that was referring excess coming in from offsite.

M. Ott – the last part I can answer later but I think you have some questions?

T. Paul – you said that you designed the system, so that the first inch of rain that this new system on the northwest corner will hold that. Does that calculation include the runoff water or does that only include the runoff from the property itself?

M. Ott – that is what I have been explaining.

T. Paul – It's only from the site itself?

M. Ott - correct

T. Paul - But that is not the reality. What is the reality? How much rain would there be before it would run over? Less than an inch?

M. Ott – no.

R. Bascom – I have some questions regarding the drainage areas, there are 7. The biggest is DA6 that is what picks up a small portion of Bradley and the congregational church.

M. Ott – it goes all the way up to the intersection of Cope Road.

R. Bascom – you have a number of drainage areas, several are on site, DA6 is 2.7 acres. The issue here is structure 6, which you identified. Did you do an energy gridline? Is this going to flood?

M. Ott – the system? I did not compute the hydraulic.

R. Bascom - I have a bigger concern with flooding that I do with treatment. If that basin surges then we will have water on the road.

M. Ott – I don't think so. This refers to the latter part of the letter. There are 4 ½ acre feet at a one foot depth of flood storage south of the railroad only. There is a tremendous amount of storage in that wetland. Based on engineering principles, there is no likelihood of flood from the runoff from this site.

Further clarification and description by Mike Ott.

B. Yaeger – if we continue to get applications around town and where it is commercially developed and all of it starts to inch up into the wetlands, is there some point we would know that another increase would impact those wetlands?

M. Ott – not in this particular wetlands but that is a valid concern. The drainage area in the wetland is already developed.

Further clarification and description by Mike Ott.

B. Yaeger – I have a theoretical question. If you took the piece of wetlands that you were going to desediment and expanded the treatment. It is still wetlands in theory; you are not disturbing the hydrology of the continued wetlands. You are expanding the treatment area you are putting your berm closer to the property line. Would that treat Bradley Road and some of the Congregation Church property?

M. Ott – it would probably treat all of it. The problem with that is, in my experience, that you are not supposed to use an existing wetland to provide treatment and or flood storage. I don't think you'd want to set a precedent like that. There are a lot of regulatory issues surrounding this.

J. Mathieu – how often do you have significant storm event? It isn't that common?

M. Ott – no its not.

Further clarification and description by Mike Ott.

B. Yaeger – one concern I have there will be a lot of sand and salt, especially because of the senior center. Where will they plow? I don't see any snow shelf? Where will they put it? I would hate to see all that plowed right into the wetlands.

M. Ott – we will tell the facilities department to be careful and to put it away from the wetlands.

B. Yaeger – is that a guardrail there on the plan?

M. Ott - no, it is a decorative wall.

B. Yaeger – could they make that it a bigger fence? That may prevent the plows from going plowing into the wetlands.

J. Mathieu – are there any instances where you haul the snow away?

M. Ott – yes, we bring it to the surf club.

M. Ott – there is not a lot of room for snow storage

B. Yaeger – I think if you planted that slope with more vegetation than with grass that might help.

M. Ott – that would be a reasonable condition.

B. Yaeger – any further discussion.

R. Bascom – I think it is important to note the Conservation Commission's feedback on this application that they would prefer the open created wetland treatment system and alternate engineered system which is an option here to provide storage and treatment under the parking lot. It is expensive but I have seen it done before and I prefer that as well.

B. Yaeger – any further comments?

**Upon a motion by John Mathieu, seconded by Lee Schumacher, the Madison Inland Wetlands Agency voted unanimously to close the public hearing.**

B. Yaeger – any other discussion on this?

T. Paul – I have some question about the reality of the water coming in. How the quality of the water going to the wetland would be without the drainage water coming around from the site just the .9 acres versus the quality of the water going through the wetlands in a storm event with both the drainage and the .9 acres.

B. Yaeger – the increase is .5

T. Paul – this is a completely different system.

B. Yaeger – not for the 2.7

M. Ott – I cannot answer

T. Paul – it all goes over land

B. Yaeger – no, the 2.7 goes into the drainage and goes out, directly into the wetland.

R. Bascom – it does that now. They are improving the system on site to treat their onsite water but also to maintain the storm flows of offsite.

**Upon a motion by Glenn Falk, seconded by John Mathieu, the Madison Inland Wetlands Agency voted unanimously to approve the application 09-31: 29 & 35 Bradley Road, Senior Center.**

**09-33: 16 FORT PATH ROAD & 8 BRIDGE STREET. Public Works Garage and Salt Storage Facility. Map 37 & 47, Lots 6 & 2. Owner/Applicant: Town of Madison.**

Regulated Activity Permit for demolition of existing buildings and construction of new building and site improvements within 100 ft. wetland review area.

The application is still open from the previous meeting.  
Mike Ott Public Works Director/Town Engineer presented.

Drawing distributed and explained.

Had intended on gaining approval from Center Village regarding the outlet protection at the end of the pipe prior to the meeting, however, they have a board and this will take quite a while so in the meantime we took all the activities off their land. Once we make arrangements with them we will come back with a new application to remove the sediment, put in the outlet protection, and restore the wetland.

B. Yaeger – what you have here will not need their permission?

M. Ott – no. We have a right to drain into their land, but we are controlling peak discharge. There is a small stormwater treatment system. There is no filling of wetlands. The closest we are to wetlands is 80 feet from the infiltration system from the salt storage shed.

B. Yaeger – that is going to handle the salt so we don't contaminate the groundwater and the wetlands water with salt with that amount of surface area running into it?

T. Paul – the road you will be ripping up that you will be plant oak trees in there?

M. Ott – yes, planning to over time close the gap.

T. Paul – on the triangle that goes up to FPR that is not going to be disturbed, are there evergreens there? Are you going to keep some there?

M. Ott - unsure

R. Bascom – are you creating any site line issues with Copse Road?

M. Ott - no

R. Bascom – can our salt trucks go west on Fort Path Road?

M. Ott – do you mean can they come down Copse? Yes, they can.

R. Bascom – can the trucks turn at the new intersection.

M. Ott – I think so.

Describes this on the drawing.

RB – take a look at that, because you may have to make some changes to allow for the trucks to turn.

J. Mathieu - are there any school buses that take that route?

M. Ott – there may be, I am not sure.

J. Mathieu – they have a fairly short wheel base

M. Ott – will look into

B. Yaeger – did everyone get a chance to read the conservation commissions comments on this? Sounds as though they agree with what the Town has proposed.

Kealoha Freidenburg on behalf of the Conservation Commission.

No public comment.

**Upon a motion by Rodney Bascom, seconded by Thomas Paul, the Madison Inland Wetlands Agency voted unanimously to close the public hearing.**

B. Yaeger - Any further conversations? No.

**Upon a motion by Lee Schumacher, seconded by Rodney Bascom, the Madison Inland Wetlands Agency voted unanimously to approve the application 09-33: 16 Forth Path Road & 8 Bridge Street, Public Works Garage and Salt Storage Facility.**

M. Ott – the Planning & Zoning Commission has requested a report on the Senior Center for their meeting, February 4<sup>th</sup>, 2010. They would like more than just minutes, a summary of questions, concerns, etc. of how you came to the decisions. IWO Kuchta will work on this and will contact Barbara Yaeger in regards to this.

### **REGULAR MEETING AGENDA ITEMS:**

#### **1. SECTION 13 APPROVALS: NONE**

#### **2. 2010-2011 BUDGET**

IWO Kuchta handed out the budget request document, the same as last year.

B. Yaeger – this is everybody’s piece? This will be divided?

IWO Kuchta – All three commissions, Inland Wetlands, Planning and Zoning, and Zoning Board of Appeals will share that line item.

R. Bascom – does this include legal?

IWO Kuchta – that comes out of Board of Selectman, although Section 13’s the application pays the legal fees.

R. Bascom – do we have to do anything with this?

B. Yaeger – do we have to approve it?

IWO Kuchta – you could make a motion to approve the budget

**Upon a motion by Rodney Bascom, seconded by Thomas Paul, the Madison Inland Wetlands Agency unanimously voted to approve the budget as presented with the revision of the chairperson’s name.**

#### **3. APPROVAL OF BILLS**

B. Yaeger – provides a breakdown of the bills:

Office supplies: \$47.96, Date stamp \$11.66, Gas \$17.36, Nextel communications \$15.65 & \$15.72, Shoreline Publishing\$60.42, and CT Farm Bureau Association \$60.00 = Total: 228.77

**Upon a motion by Rodney Bascom, seconded by Lee Schumacher, the Madison Inland Wetlands Agency unanimously voted to approve the bills as submitted.**

4. **APPROVAL OF MINUTES** – Special Meeting, December 19, 2009  
- Regular Meeting, January 4, 2010

Although the December 19<sup>th</sup> minutes were read, there was not a separate motion to approve them at the January meeting.

IWO Kuchta notifies the commissioners that the January minutes are not ready as of yet.

**Upon a motion John Mathieu, seconded by Thomas Paul, the Madison Inland Wetlands Agency unanimously voted to approve the special meeting minutes of the December 19, 2009.**

6. **LITIGATION:** Executive Session As Required

There is nothing to act on.

7. **REMARKS** – INLAND WETLANDS CHAIRMAN  
- INLAND WETLANDS OFFICER

B. Yaeger – we need a secretary. Mr. Freeman is no longer on the commission, he resigned.  
IWO Kuchta – he resigned the day after the January meeting.

J. Mathieu – nominates Barry Nann

R. Bascom – seconds the nomination

**Upon a motion John Mathieu, seconded by John Mathieu, the Madison Inland Wetlands Agency unanimously voted to approve the special meeting minutes of the December 19, 2009.**

T. Paul has a comment regarding the handout, The Habitat. He suggests that the commission read it that it because it contains interesting information about the DEP imposing stream flow standards on page 13.

## **ADJOURNMENT**

### **ADJOURNMENT**

With no further business before it, **upon a motion by Rodney Bascom, seconded by Glenn Falk it was unanimously voted to adjourn the regular meeting of the Madison Inland Wetlands Agency at approximately 9:19 p.m.**

Respectfully submitted,

Sarah Judge  
Recording Secretary, Inland Wetlands Agency